

PUBLIC NOTICE

File Number: NRS 15.031

Pursuant to Chapter 0400-4-7 of the Department's rules, the proposed activity described below has been submitted for approval under an Aquatic Resource Alteration Permit and §401 Water Quality Certification. This notice is intended to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. No decision has been made whether to issue or deny this application.

APPLICANT: Kevin Hyneman

Music City Investments, LLC

3350 Players Club Parkway, Suite 130

Memphis, TN 38125 (901) 373-3289

LOCATION: The project is located south of Interstate 40, west of Germantown Parkway, and northeast of Fletcher Creek in the WolfChase Mall area; Memphis, Shelby County, TN. Lat 35.189761; long -89.800967

PROJECT DESCRIPTION: The proposed development will consist of the construction of a showroom/warehouse, parking lots and access roads for IKEA Memphis

Current land use is open field. There are a total of 0.6 acres of wetlands within three areas ranging from 0.167 acres, 0.163 to 0.266 acres. Most are herbaceous with species such as rice cut grass, broomsedge, and bushy bluestem. The wetlands exist as a result of past use land use changes and are hydrated by direct precipitation and localized runoff.

As compensation for the wetland impacts to 0.6 acres, the applicant proposes to utilize the previously permitted wetland mitigation under NRS 95.411. This permit authorized the placement of fill in 3.56 acres and was compensated for with the creation and preservation of 13 acres offsite. The compensatory wetland was deemed successful by the U.S. Army Corps of Engineers in 2011.

DEGRADATION: In accordance with the Tennessee Antidegradation Statement (Rule 0400-40-03-.06), the division has determined that the proposed activities will not result in degradation to water quality.

WATERSHED / WATERBODY DESCRIPTION: The proposed project lies within the Wolf River watershed. More information can be found at http://www.state.tn.us/environment/water/wolfriverwatersheds/.shtml

PERMIT COORDINATOR: Mike Lee

FACTORS CONSIDERED: In deciding whether to issue or deny a permit, the department will consider all comments of record and the requirements of applicable federal and state laws. In making this decision, a determination will be made regarding the lost value of the resource compared to the value of any proposed mitigation. The department shall consider practicable alternatives to the alteration. The department shall also consider loss of waters or habitat, diminishment in biological diversity, cumulative or secondary impacts to the water resource, and adverse impact to unique, high quality, or impaired waters.

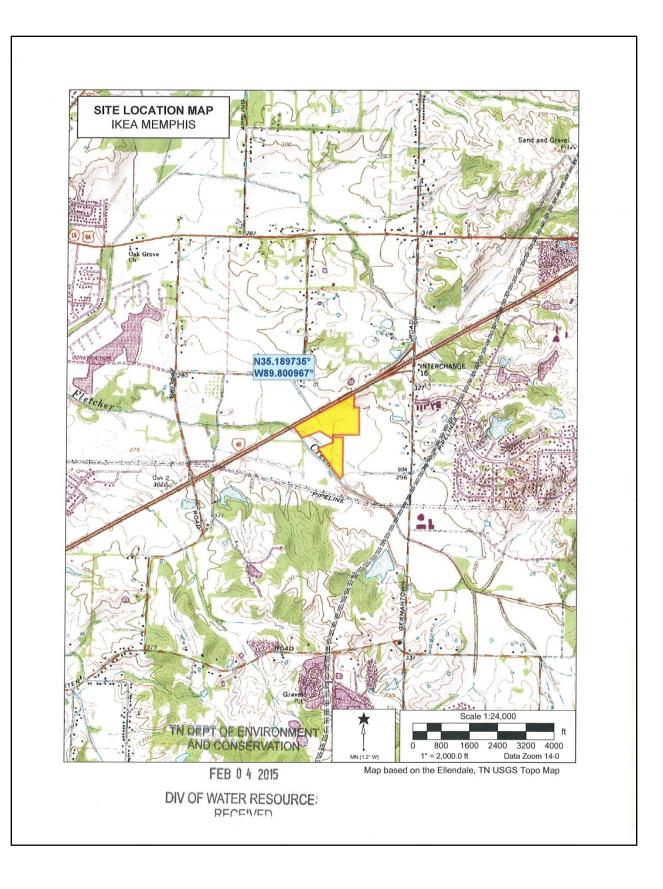
COMMENTING: Persons wishing to comment on the proposal are invited to submit written comments to the department. Written comments must be received within **thirty days of the date that this notice is posted**. Comments will become part of the record and will be considered in the final decision. The applicant's name and permit number should be referenced. Send all written comments to the department's address listed below and to the attention of the permit coordinator.

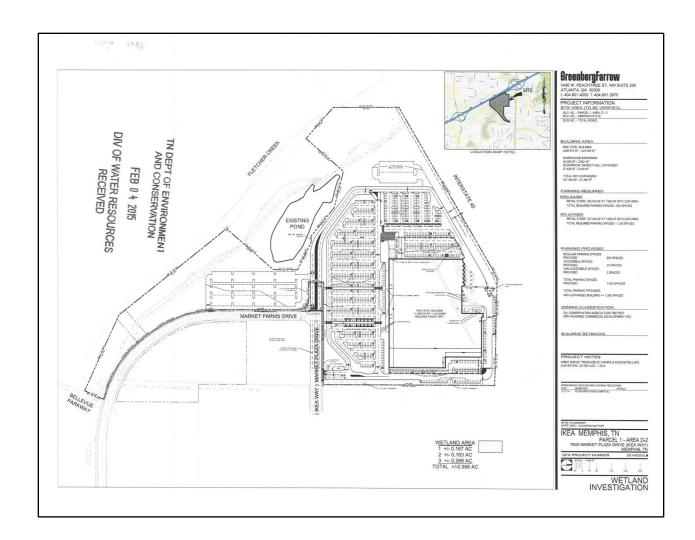
PUBLIC HEARING: Interested persons may request in writing that the department hold a public hearing on this application. The request must be filed within the comment period, indicate the interest of the person requesting it, the reasons that the hearing is warranted, and the water quality issues being raised. When there is sufficient public interest in water quality issues, the department will hold a public hearing. Send all public hearing request to the department's address listed below and to the attention of the permit coordinator.

APPEAL: A permit appeal may be filed, pursuant to T.C.A. §§ 69-3-105(i) and Rule 0400-40-05, by the permit applicant or by any aggrieved person who participated in the public comment period announced by this notice. This petition must be filed within THIRTY (30) DAYS after public notice of the issuance of the permit. The petition must specify what provisions are being appealed and the basis for the appeal. It should be addressed to the technical secretary of the Tennessee Board of Water Quality, Oil and Gas at the following address: Tisha Calabrese Benton, Director, Division of Water Resources, William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Ave, 11th floor, Nashville, TN 37243. Any hearing would be in accordance with T.C.A. §§69-3-110 and 4-5-301 et seq.

FILE REVIEW: The permit application, supporting documentation including detailed plans and maps, and related comments are available at the department's address (listed below) for review and/or copying.

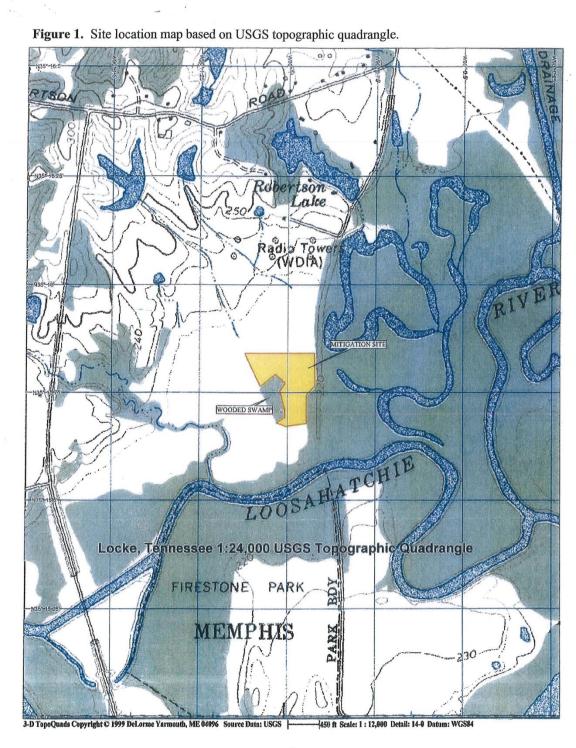
Tennessee Department of Environment & Conservation Division of Water Resources, Natural Resources Unit William R. Snodgrass Tennessee Tower 312 Rosa L. Parks Avenue, 11th Floor Nashville, Tennessee 37243





WETLAND INVESTIGATION Project Bluff Memphis, Tennessee





PHOTOGRAPHIC DOCUMENTATION

§404 permit Fletcher Creek 95-011 / §401 permit NRS95.411



Photo 1: Large planted oak trees over 20 feet in height observed along the northwestern site boundary.



Photo 2: Large planted oak trees as observed within the northeastern portion of the site.



Photo 5: A bald cypress tree with multiple trunks which was located near the northern edge of the forested preservation area.



Photo 6: View from the northern edge of the preservation area, looking southwest towards giant bald cypress trees located in the southern portion of the preservation area.



Photo 3 was taken near the south-central part of the site. Prominent hydrophytic plants in this photo include green ash, eastern cottonwood, greater straw sedge and fall panic grass.



Photo 4 shows the soil sample collected. The lower end of the profile clearly has the low chroma and redox features associated with hydric conditions.